

United States District Court
STATE AND DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

V.

JEREMY LEE KLEPPERICH

CRIMINAL COMPLAINT

Case Number: 12MJ517 TNL

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. That between on or about April 21, 2011, and on or about June 2, 2012, in the State and District of Minnesota, defendant did knowingly

possess one or more matters which contained visual depictions that had been shipped and transported using a means and facility of interstate commerce, including by computer, thumb drive, and cellular telephone, and had been mailed, shipped and transported in and affecting interstate commerce, where the production of such visual depictions involved the use of a minor engaging in sexually explicit conduct and such visual depictions were of such conduct,

in violation of Title 18, United States Code, Sections 2252(a)(4)(B) & (b)(2).

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT of Robert J.E. Blackmore

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

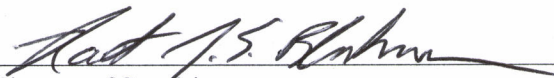
Sworn to before me, and subscribed in my presence,

July 31, 2012

Date

The Honorable Tony N. Leung
UNITED STATES MAGISTRATE JUDGE

Name & Title of Judicial Officer



Signature of Complainant
Robert J.E. Blackmore
FBI

St. Paul, Minnesota

City and State



Signature of Judicial Officer

SCANNED

AUG 01 2012

U.S. DISTRICT COURT ST. PAUL

STATE OF MINNESOTA)
) ss. AFFIDAVIT OF ROBERT J.E. BLACKMORE
COUNTY OF RAMSEY)

I, Robert J. E. Blackmore, being duly sworn, hereby depose and say:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed for over 11 years. I am currently assigned to the Minneapolis, Minnesota, Division of the FBI and work on the Minnesota Cyber Crime Task Force. I have received specialized FBI training in both the investigation of computer and computer-related crimes and crimes involving the sexual exploitation of children. As a member of the Cyber Crime Task Force, my responsibilities include the investigation of various criminal offenses involving computers, computer networks, and the Internet, including the investigation of crimes involving the sexual exploitation of children.

2. This affidavit is based on my training, experience, personal knowledge and observations in this investigation; upon my discussions with other law enforcement officers and agents involved in this investigation; and upon my review of official reports submitted in relation to this investigation. Further, this affidavit contains information to support probable cause but is not intended to convey facts of the entire investigation.

3. This affidavit is made for the purpose of establishing probable cause in support of a criminal complaint and federal arrest warrant for Jeremy Lee Klepperich ("Klepperich"), and therefore contains only a summary of relevant facts.

4. In January 2009, the Wright County Sheriff's Office ("WCSO"), received a case referral from the Minnesota Internet Crimes Against Children Task Force regarding the solicitation of child pornography in a Yahoo! Chatroom by a person using the screen name "pepperbokkin."

5. Investigation conducted by WCSO and the Minnesota Bureau of Criminal Apprehension ("BCA") traced this activity to Klepperich's residence in Delano, Minnesota.

6. WCSO obtained a State of Minnesota search warrant on February 4, 2009, and served the warrant upon Klepperich's residence on February 5, 2009. Pursuant to the search warrant, several hard drives and other items of digital media were seized from Klepperich's residence.

7. WCSO conducted an interview of Klepperich during the execution of the search warrant at which time Klepperich admitted to being a registered sex offender. (Klepperich's criminal history includes a 1997 First-Degree Criminal Sexual Conduct conviction in McLeod County in which he penetrated a minor girl he was babysitting. Klepperich was also convicted in Hennepin County in 2009 for failure to register as a predatory offender.) Klepperich admitted to using the screen name "pepperbokkin." Klepperich denied that any child pornography would be found on the hard drives at his residence.

8. A forensic examination of the media seized during the aforementioned search warrant revealed over 700 images and 50 videos depicting child pornography. The National Center For

Missing and Exploited Children ("NCMEC") further determined that 144 of these images and nine of the videos depicted children who were identified victims of sexual abuse.

9. As Klepperich was a registered sex offender and the media seized during the search warrant was found to contain child pornography, Klepperich was charged in Wright County, Minnesota, with 30 counts of Possession of Pornography by a Registered Predatory Offender. Klepperich pleaded guilty to one of the counts he was charged with.

10. On February 3, 2011, Klepperich was sentenced to 25 months incarceration with a 10-year stay of execution. Klepperich's probation conditions included that he not possess or use any pornography/sexually explicit material and that he not possess or use drugs/controlled substances.

11. On April 21, 2011, Agents of the Minnesota Department of Corrections ("MNDOC") conducted an unannounced home visit at Klepperich's residence in Hutchinson, Minnesota. Upon entry, the MNDOC Agents observed a "leafy substance" on Klepperich's bed. Klepperich told the MNDOC Agents that the leafy substance was incense and that he smoked it to relax. At that time, the MNDOC Agents decided that a more extensive search of Klepperich's residence should be conducted.

12. During the search, the MNDOC Agents located a "flash drive" in the drawer of a stand next to Klepperich's bed. (Based on my training and experience, I know the term flash drive to be an alternative name for a thumb drive, which is an external device

that people can insert and remove from a computer to move files onto or off of a computer). When asked by the MNDOC Agents, Klepperich denied knowledge of the thumb drive's contents. MNDOC Agents also seized two DVDs, one of which appeared to be an R-rated movie that indicated there was a lot of nudity in it and the second bearing the hand written title "The Beginning." Several items of drug paraphernalia were also seized during the search.

13. Upon return to their office, one of the MNDOC Agents reviewed the thumb drive and observed an image depicting a nude minor female, which he believed to be child pornography.

14. MNDOC turned over the seized items to the custody of the Hutchinson (Minnesota) Police Department for further investigation.

15. As the items seized from Klepperich's residence by the MNDOC Agents appeared to be a violation of his stay of sentence, the Hutchinson Police Department obtained an Apprehension and Detention Order and arrested Klepperich.

16. After he was arrested, Klepperich was advised of his rights and agreed to be interviewed by the Hutchinson Police Department. During this interview, Klepperich stated that the thumb drive seized by the MNDOC Agents was one that he had for several years but had not recently used. Klepperich additionally stated that this thumb drive likely contained child pornography.

17. On June 7, 2011, I took custody of the unlabeled black thumb drive and the DVD with the handwritten title "The Beginning."

18. On June 29, 2011, I obtained a federal search warrant signed by the Honorable Janie S. Mayeron, United States Magistrate

Judge, District of Minnesota, 11-mj-267 (JSM), which authorized the search of the thumb drive and DVD seized from Klepperich.

19. An FBI computer forensic examiner found that the metal connector part of the thumb drive contained the markings "CENTON" and "MADE IN CHINA."

20. The thumb drive and DVD were imaged by an FBI computer forensic examiner and then provided to me for review. During my review of the imaged thumb drive, I located approximately 327 images of child pornography and child erotica and 35 videos of child pornography, the majority of which was located in free/deleted space. Approximately 20 images of child pornography were found in an active directory, which is a location on a computer or media device such as a thumb drive that a user can readily access. When a user deletes a file, it is not erased completely from the computer or thumb drive; instead, the file is moved to "free/deleted space" and can be recovered with forensic tools. There were also numerous images of animated child pornography and four .PDF files containing stories of child sexual abuse.

21. The dates of some of the child pornography files found on the thumb drive indicate that this drive was used as recently as two days before the MNDOC search.

22. I sent the image and video files to NCMEC for comparison to determine if any of these files depicted identified child victims of sexual abuse. The NCMEC comparison showed that 78 image files and nine video files depicted child victims that had been identified

by law enforcement in other investigations. Among the images/videos depicting identified child victims were the following, all of which were located in deleted/unallocated space:

a. Name: JPEG_17031168[8546].jpg

Description: Depicts a naked, prepubescent boy lying on his side next to a prepubescent girl.

b. Name: JPEG_188416[8523].jpg

Description: Depicts a naked, prepubescent girl sitting in a chair with her legs spread to expose her genitalia.

c. Name: JPEG_212992[8523].jpg

Description: Depicts a naked prepubescent girl lying in water exposing her genitalia.

d. Name: JPEG_21577728[8559].jpg

Description: Depicts a prepubescent girl touching the penis of an adult male.

e. Name: JPEG_21716992[8559].jpg

Description: Depicts a naked, prepubescent girl sitting down with her legs open exposing her genitalia. She is being vaginally penetrated by an adult's finger.

f. Name: JPEG_21913600[8559].jpg

Description: Depicts a prepubescent girl lifting her shirt and exposing her genitalia. She is sitting on top of a naked female whose genitalia is also exposed.

g. Name: JPEG_22298624[8559].jpg

Description: Depicts a prepubescent girl sitting against a dresser with her legs spread and her pants and underwear pulled down to her feet and exposing her genitalia.

h. Name: JPEG_22609920[8575].jpg

Description: Depicts a naked, prepubescent girl lying down in green colored water with her legs apart exposing her genitalia.

i. Name: JPEG_23224320[8522].jpg

Description: Depicts a prepubescent girl standing with her pants/underwear pulled down exposing her genitalia and using her hands to open her genitalia.

j. Name: JPEG_25821184[8522].jpg

Description: Depicts a prepubescent girl lying down on a bed. The girl is pulling her underwear to the side exposing her genitalia.

k. Name: JPEG_26075136[8575].jpg

Description: Depicts a naked, prepubescent girl lying down in a bathtub with her legs spread wide apart exposing her genitalia.

l. Name: JPEG_8241152[8574].jpg

Description: Depicts a naked, prepubescent girl lying on a bed with her legs in the air and exposing her genitalia.

m. Name: JPEG_9060352[8574].jpg

Description: Depicts a naked, prepubescent girl squatting down with her legs spread exposing her genitalia.

n. Name: JPEG_917504[8560].jpg

Description: Depicts a naked, prepubescent girl lying on a bed. She is pulling a bedsheet away from her and has one knee bent upward exposing her genitalia.

o. Name: - LEG-LIFT_FK.mpg

Previous Path: \stuff\me\pics\video

Description: Video approximately 16 seconds long depicting a prepubescent girl being vaginally penetrated by an adult penis.

p. Name: ! new ! (pthc) 2007 tara 8yr - gets buttfucked by 14 inch long(2).wmv

Previous Path: \stuff\me\pics\video

Description: Video approximately 6 minutes 8 seconds long depicting a naked, adult male and naked, prepubescent girl, both wearing masks. The girl performs oral sex on the adult male and is later anally penetrated with a foreign object being held by the male.

q. Name: ! new ! (pthc) tara 8yr - tara gets molested by a clown.wmv

Previous Path: \stuff\me\pics\video

Description: Video approximately 12 minutes 56

seconds long depicting an adult male wearing a clown mask and a naked, prepubescent girl with a mask. The adult male penetrates the girl vaginally with his hand and then his penis. The girl then performs oral sex on the male. The male then penetrates the girl vaginally with a foreign object.

r. Name: 8o7ui.mpeg

Previous Path: \stuff\me\pics\video\New Folder

Description: Video approximately 9 seconds long depicting a naked, prepubescent girl performing oral sex on an adult male.

s. Name: p- mandy cumshot to face.wmv

Previous Path: \stuff\me\pics\video\New Folder

Description: Video approximately 1 minute 8 seconds long depicting a prepubescent girl being vaginally penetrated by an adult penis. The girl then performs oral sex on an adult male.

t. Name: toddler girl masturbates with a vibrator !!new
(pthc) ravevib1 3.mpg

Previous Path: \stuff\me\pics\video\New Folder

Description: Video approximately 2 minutes 1 second depicting a prepubescent girl naked from the waist down masturbating with a foreign object.

23. On June 2, 2012, WCSO responded to a report of a violation at Klepperich's residence in Woodlawn Township, Minnesota.

Klepperich's co-resident reported to WCSO that she had located drug paraphernalia and possible child pornography on a laptop computer.

24. WCSO then contacted MNDoc who issued an Apprehension and Detention Order for Klepperich. Klepperich was then arrested by WCSO. Among the items seized by WCSO were the laptop computer, which Klepperich confirmed that he had been using for the previous two to three months, two cell phones, a thumb drive, drug paraphernalia, two BB guns, and a paint ball gun.

25. On June 5, 2012, WCSO obtained a State of Minnesota search warrant for the items seized from Klepperich's residence on June 2, 2012.

26. Pursuant to this June 5, 2012 search warrant, WCSO examined a cell phone seized from Klepperich, specifically, a Samsung SGH T669 Cell Phone, and located several child pornographic images and videos, including:

- a. Video0002.mp4 - Pre teen Female Masturbating - Taken from a video screen playback on 05-15-12 @ 17:34:44
- b. Video0003.mp4 - Pre teen Female Masturbating - Taken from a video screen playback on 05-15-12 @ 17:37:58
- c. Photo0011.jpg - is of a young, naked boy sitting on a bed with his left leg folded up toward his chest with his penis plainly visible. The photo appears to have been taken from a magazine.

27. A post-Miranda interview of Klepperich was conducted by WCSO on June 5, 2012. During this interview, Klepperich stated that he was attracted to young children. Klepperich further stated that

he would look up pictures on the Internet and "Google" terms such as "nudist," "nudity," "young," "boys," and "girls." He would then follow the links to the images and videos. When asked if he had been looking up sites of sexually-explicit images of adult pornography and child pornography involving boys and girls in sexually-explicit acts, Klepperich responded "yes, kind of." Klepperich also admitted that he used the laptop computer to play videos on his television screen, which he then recorded with his cell phone.

28. A preliminary review of the Acer Aspire One laptop computer, model D250-1165, serial number LUS680B0669251B9F21601, seized from Klepperich's residence and searched pursuant to the June 5, 2012 search warrant, has thus far revealed approximately 115 images and 12 videos of child pornography. The forensic examination is ongoing.

29. On July 6, 2012, WCSO received a call from Klepperich's co-resident who stated that a third party had found a thumb drive in a couch that belonged to Klepperich. A WCSO detective responded to the residence and interviewed the co-resident and the third party. The third party stated that he had not used the thumb drive. The co-resident stated that they had put the thumb drive in a computer and observed folders titled "Boys," "Girls," and "Me". This person also observed what she called "disgusting photos." WCSO took custody of this thumb drive, a black SanDisk Cruzer 8GB drive, which bore a mark identifying China as the place of manufacture.

30. A WCSO computer forensic examiner conducted an examination of this thumb drive and found that it contained approximately 4,270 image files and 56 video files that depicted child pornography.

31. The WCSO computer forensic examiner conducted a comparison of these image and video files with the NCMEC's database of identified child victims of sexual abuse. Results of this comparison showed that over 200 of these files depicted child sexual abuse victims identified by law enforcement. Among the images/videos depicting identified child victims were the following, all of which were active (non-deleted) on the thumb drive:

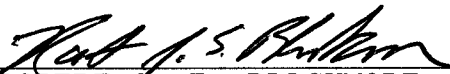
- a. _02x (10)-Copy.jpg - Image depicts a naked prepubescent girl lying down on a bed with her legs spread and exposing her genitalia. This image contains the date/time stamp "11.17.2004 02:41"
- b. tra33 (3).jpg - Image depicts a naked prepubescent girl lying down on a bed with her legs spread and using her hands to open and expose her genitalia.
- c. kbaby-set01-2258.jpg - Image depicts a naked prepubescent girl, appearing to be two-to-three years old, sitting down with her legs spread exposing her genitalia. There appears to be semen in the area of the girl's genitalia.
- d. dc62.wmv - Video file approximately 15 minutes 40 seconds long depicting adult males engaging

in vaginal and anal sexual intercourse with prepubescent girls.

e. !!!imPO1.wmv - Video approximately 31 seconds long depicting an adult male anally penetrating a prepubescent girl with his penis.

32. Based upon these facts conveyed in this affidavit, I believe that there is probable cause that between, on or about April 21, 2011, through on or about June 2, 2012, Jeremy Lee Klepperich committed offenses in violation of Title 18, United States Code, Sections 2252(a)(4)(b) (knowingly possessing child pornography) and 2252(b)(2).

Further your Affiant sayeth not.


ROBERT J. E. BLACKMORE
Special Agent
Federal Bureau of Investigation

Sworn and subscribed before me this 31st day of July, 2012.


The Honorable Tony N. Leung
United States Magistrate Judge